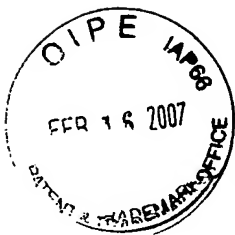


02-20-07



**PATENT**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

**In re Application of:**

Ramin Pirzad

**Serial No.:** 10/009,109

**Filed:** December 7, 2001

**For:** ALLERGEN DETECTION

**Confirmation No.:** 5523

**Examiner:** M. Cole

**Group Art Unit:** 1743

**Attorney Docket No.:** 2946.01-5181US  
(RSJ09237US)

**Notice of Allowance Mailed:**

November 20, 2006

**NOTICE OF EXPRESS MAILING**

Express Mail Mailing Label Number: EV962537553US

Date of Deposit with USPS: February 16, 2007

Person making Deposit: Di Sanders

**TRANSMITTAL LETTER**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

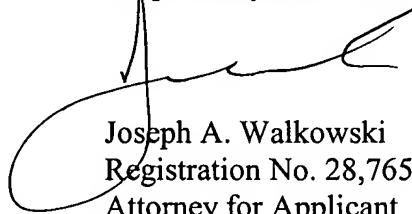
Applicant submits herewith Part B - Fee(s) Transmittal for the above-captioned application and a check in the amount of \$1,400.00 in payment therefor. Also enclosed are Comments on Statement of Reasons for Allowance and Fee Addressee for Receipt of PTO Notices Relating to Maintenance Fees.

Applicant understands that no additional fees are required. However, if the Office determines that any comparison fees or other additional fees are required, the Commissioner is

**Serial No. 10/009,109**

authorized to charge any such fees to TraskBritt Deposit Account No. 20-1469. A copy of this Transmittal Letter is enclosed for deposit account charging purposes.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Joseph A. Walkowski', is written over the typed name and registration number.

Joseph A. Walkowski  
Registration No. 28,765  
Attorney for Applicant  
TRASKBRITT  
P.O. Box 2550  
Salt Lake City, Utah 84110-2550  
Telephone: 801-532-1922

Date: February 16, 2007

JAW/dlm:slm

Enclosures: Part B - Issue Fee Transmittal

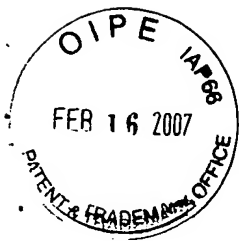
Check No. 10831 in the amount of \$1,400.00

Copy of Transmittal Letter

Comments on Statement of Reasons for Allowance (2 pages)

Fee Addressee for Receipt of PTO Notices Relating to Maintenance Fees (2 pages)

Document in ProLaw



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**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Mail Stop Issue Fee  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

This communication is filed in response to the Notice of Allowance mailed November 20, 2006 and sets forth Applicant's comments, pursuant to 37 C.F.R. §1.104(e), on the Examiner's Statement of Allowable Subject Matter accompanying the Notice of Allowance.

In the Notice of Allowance, the Examiner indicates:

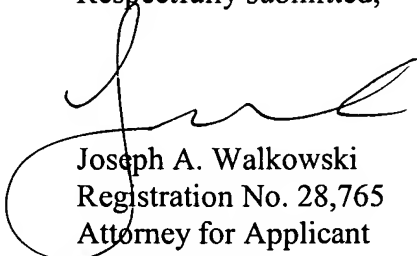
the prior art does not teach or suggest a method for determining allergen activity in dust such as instantly claimed wherein a colorimetric amine detection reagent is employed. Further, the prior art does not teach or suggest a method of determining allergen activity in dust such as instantly claimed, wherein a protease substrate having immobilized thereon proteins or peptides labeled with a chromogenic substance specifically interacts with the protease in dust & quantitatively measures protease intensity.

Applicant concurs with the reasons as stated by the Examiner insofar as they comprise a summary, which is exemplary and not limiting. However, the scope of the claims is based on the actual language of the claims and equivalents thereof, and not on a paraphrase or summary of the claim language.

The Independent claims as allowed recite features and methodology in addition to, and in different language than, those described in the Statement of Allowable Subject Matter. Furthermore, the dependent claims recite elements in addition to those of the independent claims, which are also not reflected in the Statement of Allowable Subject Matter. Such additional elements, in combination with those of the independent claims from which each claim depends, provide additional reasons for patentability. Accordingly, the scope of the claims must be determined from the literal language of each as a whole, as well as all equivalents thereof.

Therefore, to the extent that the Examiner's reasons for allowance as stated are not relevant to, or wholly encompassing of, a particular claim, independent or dependent, Applicant assumes that (pursuant to 37 C.F.R. §1.104(e)) the Examiner has determined that the record of the prosecution as a whole of the application makes clear the reasons for allowing those claims. Further, it appears, pursuant to M.P.E.P. 1302.14, that the Examiner's Statements of Allowable Subject Matter are not intended to encompass all of the reasons for allowance.

Respectfully submitted,



Joseph A. Walkowski  
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Attorney for Applicant  
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P.O. Box 2550  
Salt Lake City, Utah 84110-2550  
Telephone: 801-532-1922

Date: February 16, 2007  
JAW/dlm:slm

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